

January 17, 2019



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ADDENDUM NO. TWO

REQUEST FOR QUALIFICATIONS FOR DESIGN-BUILD SERVICES PROJECT NO. 126484 – TYLER STATE PARK, SMITH COUNTY, TX Regional Office Replacement

Commissioners

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NOTICE TO ALL RESPONDENTS:

This addendum shall be considered part of the Solicitation and Contract Documents and is issued to change, amplify, or delete from or otherwise explain the documents where provisions of this addendum differ from those of the original contract documents. This addendum shall have precedence over the original contract documents and shall govern.

Respondents are hereby notified that they shall incorporate this addendum in their response, and it shall be construed that the Respondent's response shall reflect with full knowledge, all items, changes and modifications to the contract documents herein specified.

Respondents are advised to check for updates, addenda issuance, and receipt of response deadline date changes at the Electronic State Business Daily Website at: <http://www.txsmartbuy.com/sp>.

The solicitation requirements are amended as follows:

1. Section Three – Evaluation Criteria – Design-Build, Item 2 Safety Record is amended to **ADD** the following requirement:

Offeror must submit its North American Industrial Classification System Code.

2. Section Three – Evaluation Criteria – Design-Build Item 7: Team Experience and Structure is **REVISED** to say "Identify the proposed Key Personnel, including Major Subconsultants for the Pre-Construction and Construction Phases of the project. For each Key Personnel, provide 7.1 and 7.2. Provide 7.3 and 7.4 for the proposed team.

3. Pro-Forma DESIGN-BUILD AGREEMENT, ARTICLE 21 – OTHER TERMS AND CONDITIONS, 22.2.1 is herein re-numbered as 21.2.1 and **REVISED** to say:

21.2.1 FOR EACH CONSECUTIVE CALENDAR DAY AFTER THE SUBSTANTIAL COMPLETION DATE THAT THE WORK IS NOT SUBSTANTIALLY COMPLETED, THE OWNER MAY DEDUCT THE AMOUNT OF FOUR HUNDRED FIFTY DOLLARS PER DAY (\$450.00/DAY) FROM ANY MONEY DUE OR THAT BECOMES DUE THE DESIGN-BUILD CONTRACTOR, NOT AS A PENALTY BUT AS LIQUIDATED DAMAGES REPRESENTING THE PARTIES' ESTIMATE AT THE TIME OF CONTRACT EXECUTION OF THE DAMAGES THAT THE OWNER WILL SUSTAIN FOR LATE COMPLETION.

Questions and Answers

1. In the preparation for the RFQ does TPWD prefer/require relevant experience from all parties being presented in the RFQ (ex. Enviro/Structural/Energy Modeling etc. Engineers) or just the GC and architect?

A. Items 7.1 and 7.2 request the resumes and statements of experience for all proposed Key Personnel, for both Pre-Construction (Design) and Construction Phases. Refer to Item 2 in Addendum Two.

2. Is Section 6 of the Evaluation Criteria meant for the design-build General Contractor experience?

A. Item 6 requests Project Experience from the proposed project team.

3. Is Section 7 of the Evaluation Criteria meant for the design team project experience?

A. Item 7 requests Team Experience and Structure, which includes both Pre-Construction (Design) and Construction Phase team members.

4. Are the HUB requirements for both phases of the project?

A. There are HUB requirements for both HSP phases (HSP Phase 1 and HSP Phase 2). A HUB plan is not required to be submitted in Step 1.

5. We are planning on submitting our qualifications in response to the Request for Qualifications along with Brave Architecture. Item No. 2 requests a copy of our safety manual. The manual itself is over 400 pages. Can we supply the table of contents or do you want the whole thing?

A. The recommendation is to respond and submit everything required for each criteria.

6. Also, we may not be able to get 6 actual reference letters back in time to submit. Can we provide the contact information for the references instead?

A. Each response will be evaluated and scored on what is submitted by the respondent. Evaluators will not be calling references.

7. In what type of container should the RFP be delivered?

A: There are no requirements as to what kind of container to use, but it should be sealed so that it remains sealed until the time of opening.

8. Are original signatures required?

A: No. Digital signatures are permissible. Respondents should ensure that the signatory has the authority to bind the company.

9. What is HSP?

A: Historically Underutilized Business Subcontracting Plan (HUB Plan)

10. Is there a prescribed format for responses?

A: Yes, see Section 4. Page limits are also covered in Section 3.

11. Will there be a local presence (evaluator) on the evaluation boards for Step 1 and Step 2?

A: Yes.

12. Phase I is funded. When will Phase II be funded?

A: If TPWD is appropriated the funding for this Project in the current legislative session, funds should be available for Phase II by Fall 2019.

13. On the Solicitation Milestones - the Notification to Selected Design-Build Firm is noted as April 8, 2019. The next listed milestone is June 17, 2019 where TPWD awards the contract. If the selection is April 8, then what is happening in the meantime in regard to design, budgeting and construction if the award is not until June 17?

A. Contractual review and negotiation is taking place during this time. Contract performance period starts at Notice of Award.

14. Since the contract is stated to be a stipulated sum, how will the contract be written specifically to reflect actual construction cost since the full design will not be finished to allow for completely accurate pricing?

A. The selected Design-Build Firm will submit a proposal for pre-construction and construction phase services. TPWD will work with the selected firm to negotiate all aspects of the proposal including construction phase services. TPWD anticipates that a part of the negotiations will be development of the contractor's construction contingency. Once an agreement is reached, that final fee proposal will be a stipulated sum (fixed fee.)

Respondents shall acknowledge receipt of this addendum in the space provided on the Respondent's Execution of Response Form located above the signature block. WARNING: RESPONDENT'S FAILURE TO ACKNOWLEDGE RECEIPT OF ADDENDA MAY RESULT IN REJECTION OF RESPONSE.

Deadline to submit responses REMAINS Prior to 2:00 PM (CT), January 24, 2019.

END OF ADDENDUM NUMBER TWO



**Kim Shelton, CTPM, CTCM
Contracting Program Supervisor
Infrastructure Division**